

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

I&I Dept., - MOU between AAI and GoAP - Grant of permission to AAI to use the lands mutated in favour of Airport Authority of India (land admeasuring AC.368.36 cts situated in Gopalapatnam, Gajuwaka and Mulagada Mandal of Visakhapatnam District) for any kind of land use including but not limited to Commercial use, in lieu of compensation to AAI for closure of Scheduled commercial operations at the Civil Enclave at the existing Airport for 30 years, once the operation of Greenfield airport at Bhogapuram starts - Orders - Issued.

INFRASTRUCTURE AND INVESTMENT (AIRPORTS) DEPARTMENT

G.O.Ms.No.24.

Dated 27-12-2023.

Read the following:-

1. Concession Agreement dated 12.06.2020.
2. MOU between Airport Authority of India and Government of Andhra Pradesh on 12-09-2022.
3. From the Chairman, AAI Lr.dated 21-11-2022.
4. From District Collector, Visakhapatnam Dist., Lr.Rc.No. 1262/22/COORDN-D4, Dt.20.08.2023.
5. Govt., Letter addressed to AAI Lr.No.INI01-APAD/18/2021-Airports, dated 24.08.2023.
6. From the Exe. Dir. (LM&BD), AAI No.AV.21012/01/2022/LM /584, dated 13.11.2023.

ORDER:

Schedule XIII of the Andhra Pradesh Reorganization Act, 2014 assured the expansion of existing Visakhapatnam, Vijayawada and Tirupati Airports to international standards for the progress and sustainable development of the residual State. Since the civil enclave of the existing Visakhapatnam Airport at Naval Airbase (INS Dega, Eastern Naval Command) has limitations (to expand and cater to rising traffic & operational restrictions), the Government of Andhra Pradesh has proceeded with the establishment of an International Greenfield Airport at Bhogapuram, Andhra Pradesh on PPP mode, for which Government of India (Gol), Ministry of Civil Aviation had granted 'In Principle' approval in October, 2016. While granting 'Site Clearance' by Gol on 27.01.2016, it was decided that commercial operations from the Civil Enclave at the existing Vizag Naval Airfield (INS Dega) would cease for a period of 30 years once the operations from Greenfield Airport at Bhogapuram started.

2. With regard to the issue of compensation to AAI for stoppage of its scheduled commercial operations at the existing Vizag airport, a MOU was signed between AAI and GoAP on 12.09.2022 with the following conditions, in lieu of compensation payable to AAI and the main responsibilities under the MOU are as under:

1. The GoAP agrees to mutate the entire airport land admeasuring 372.72 acres, without charging any stamp duty, or mutation charges, or any other charge, or fee of whatsoever name.
2. The mutation in the name of AAI in revenue records of State Government shall be completed within 06 (six) months from the date of signing of this MOU and the Civil Enclave at Vishakhapatnam (INS Dega) will be closed by the First Party for a period of 30 (thirty) years from the date of commencement of operations of

Bhogapuram Airport, as per the terms of the Concession Agreement, signed between the developer and Andhra Pradesh Airport Development Corporation Ltd (APADCL), of greenfield airport at Bhogapuram.

3. Post closure of the existing civil enclave at Vishakhapatnam, the AAI at its discretion is entitled to use the entire land mutated in its favour for any kind of land use including but not limited to Commercial use, and will not be required to seek change in land use permission from the GoAP, or any Local Body, or agency of, or working under the control of the GoAP, and not required to pay any fee, or charge, or any other levy of whatsoever nature for the same. However, for building permission, etc., from Local Body, AAI will seek necessary permission as per prevailing law/ regulations. It was also agreed that the GoAP will issue necessary order to give effect to the same.
4. It was also agreed that any proceeds from monetization of the land granted by the AAI and so mutated in favour of the AAI will be used for development of airport infrastructure in the state of Andhra Pradesh.

3. Based on the above MOU, the MoCA has granted NOC for closure of scheduled commercial operations at the Civil Enclave at existing Vizag Naval Airfield (INS Dega) for 30 years, once the operation of Greenfield airport at Bhogapuram starts, **subject to compliance of the provisions of MOU entered between AAI and GoAP on 12.09.2022.** In the letter 3rd read above, the Chairman, AAI has informed that as per the MOU executed on 12.09.2022, land of AAI's Civil Enclave at Vizag have to be mutated in the name of AAI and GoAP's resolution or notification regarding no charge or fees or any other levy of whatsoever nature for change in land use of AAI lands have to be issued and requested the Govt. of AP for necessary action to give effect to the MOU at the earliest.

4. In the letter 4th read above, the District Collector, Visakhapatnam District informed that the land admeasuring Ac.368.36 cts situated in Gopalapatnam, Gajuwaka and Mulagada Mandal of Visakhapatnam District were mutated in favour of Airport Authority of India except Ac 1.77 utilised by VUDA.

5. In the letter 6th read above, the Executive Director (LM &BD), AAI has requested the GoAP to issue necessary directions for provisioning of alternative land in lieu of Ac 1.77 utilized by VUDA & 2.55 acres utilised by GVMC for road widening purposes and issuance of notification/Govt. order permitting the AAI to use its land to permit the AAI utilising the land for any purpose including commercial without seeking any change in land use or payment of any fee or charges as per the para 3 of MoU. Further, AAI will seek necessary permission as per prevailing law/regulations for Building permission, etc., from the concerned ULB.

6. On the proposal, the MA&UD Department remarked that as per the provisions of Section 15 of APMRUDA Act, 2016, an application shall be made by the Land Owner (AAI) to the VMRDA to make modifications to the Master plan after remitting necessary fees & Charges and there is no provision for exemption of the same in the Act. However, since there is a clause in the MOU entered between AAI and the Government, the Infrastructure and Investment Department may obtain necessary exemptions as per Business Rules.

7. Government, after careful examination, hereby approve to notify that Airport Authority of India is permitted to use the lands mutated in favour of Airport Authority of India (land admeasuring Ac.368.36 cts. situated in Gopalapatnam, Gajuwaka and Mulagada Mandal of Visakhapatnam District) for any kind of land use including but not limited to Commercial use and will not be required to seek change in land use permission from

Govt./ULB under the control of AP and not required to pay any fee, or charge or any other levy of whatsoever nature, as per para 3 of the MoU. This concession is given in lieu of compensation to AAI for closure of scheduled commercial operations at the Civil Enclave at existing Vizag Airport for 30 years, once the operation of Greenfield airport at Bhogapuram starts.

8. AAI has to apply as per provisions of APMRUDA Act as mentioned above and the concerned UDA will pass on the necessary order for change of land use, as per the rules in vogue, without collecting any fee or charge or any other levy of whatsoever nature. Further, AAI will seek necessary permission as per prevailing law/regulations for Building permission, etc., from the concerned ULB.

9. The MA & UD Department / Metropolitan Commissioner, VMRDA / District Collector, Visakhapatnam / Commissioner, GVMC / Airport Director, Visakhapatnam Airport are requested to take necessary steps on para (7 and 8) above.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

N.YUVARAJ
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
The MA & UD Department, GoAP.
The Chairman, AAI, New Delhi.
The Collector & District Magistrate, Visakhapatnam District.
The Metropolitan Commissioner, VMRDA.
The Commissioner, GVMC, Visakhapatnam.

Copy to:
The Managing Director, APADCL.
The G. A. (Cabinet) Department, A.P. Secretariat.
The P.S. to Special Chief Secretary to Hon'ble CM.
The P.S. to Hon'ble Minister for I&I.
The P.S. to C.S to Government.
The P.S. to Spl. C.S to Govt., I&I Department.
(C. No.INI01-APAD/ 18/2021-AIRPORTS, Comp.No.1390757)

//FORWARDED BY ORDER//


SECTION OFFICER